

REMARKS/ARGUMENTS

Favorable consideration of the application as currently amended and in view of the following remarks, is respectfully requested.

Claims 1-7 are currently pending in the application. Claims 1 and 6 have been amended, as discussed below. No new matter has been added.

By way of summary, the Official Action presents the following issues. Claims 1-5 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Takemasa et al. (JP2000-090539, hereinafter Takemasa). Claims 1-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasuga (JP2003-115152) in view of Takemasa.

Turning first to the rejection of Claims 1-5 under 35 U.S.C. § 112, second paragraph, the claims were rejected on the basis that Claim 1, line 8 recites “said opening” but there is no antecedent basis for the phrase. In addition, Claims 1-5 have been rejected as indefinite on the basis that that Claim 1 is directed solely to the disc cartridge *per se*; but that it is unclear as to whether the claim is drawn to just a disc cartridge or to a disc structure associated with a recording and/or reproducing apparatus.

At the outset, Applicants note that the language “said opening” in Claim 1, line 8 has basis for the term in Claim 1, line 10 which recites “an opening” for a driving unit. Nevertheless, in order to respond to the rejection, Applicants have moved the paragraph reciting “an opening for a driving unit ...” above the paragraph reciting “an annular loading support part” In addition, Applicants have amended the preamble of Claim 1 by changing the term “cartridge” to “recording and/or reproducing apparatus” and adding “a disc cartridge having” to line 4. From all of the above, Applicants believe that the rejection of Claims 1-5 under 35 U.S.C. § 112, second paragraph, has been overcome and should be withdrawn.

Turning next to the rejection of Claim 1 under 35 U.S.C. § 102(b) as being anticipated by Takemasa, the Official Action (page 4) recites “said loading support part having a fitting protrusion (13b) at an inner periphery fitted in said opening for a driving unit of said disc cartridge.” In response, Applicants note that para [0018] of Takemasa describes (13b) as the CD axis of rotation. Figure 7 appears to show 13(b) to be an upstanding wall portion that engages the inner edge of the center hole of the CD.

In response to the rejection, Applicants have amended Claim 1 to recite that the fitting protrusion at the inner periphery is a ring-shaped center fitting protrusion. This distinguishes from the structure of Takemasa. In addition, Applicants note that 13(b) of Takemasa engages the inner edge of the opening in the CD 2, and does not describe a ring-shaped center fitting protrusion at an inner periphery fitted in an opening of the disc cartridge for a driving unit, as recited in Claim 1. From all of the above, Applicants believe that Claim 1, as amended, is not anticipated by Takemasa and that this rejection should be reconsidered and withdrawn.

Turning next to the rejection of Claims 1-7 under 35 U.S.C. § 103 as being unpatentable over Kasuga in view of Takemasa, the Official Action (pages 6 and 7) relies upon Takemasa for a suggestion of :

[T]he inner peripheral surface of said opening operating as a mounting reference plane in a planar direction for mounting the disc cartridge on a recording and/or reproducing apparatus; the peripheral edge of said opening in said one surface operating as a mounting reference plane in the height-wise direction; a cartridge support part having a fitting protrusion fitted in said opening for a driving unit of said disc cartridge; said cartridge support part carrying the peripheral edge of said opening for the driving unit of said disc cartridge; and a loading support part for positioning said disc cartridge in the horizontal direction and in the height-wise direction.

Applicants believe that this rejection also fails because Takemasa fails to make up for the deficiencies of Kasuga, as the combined teachings and suggestions of the references, even if combined, fail to teach or suggest, as discussed above, the “ring-shaped center fitting

protrusion at an inner periphery fitted in an opening of the disc cartridge for a driving unit,”
as recited in Claim 1.

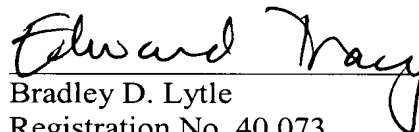
Applicants direct the Office’s attention to Figure 13 which shows ring-shaped center fitting protrusion 92 at an inner periphery of loading support member 86 (see Claims 1 and 6) and additionally shows a tapered surface at the outer periphery which carries the peripheral edge of said opening of said disc cartridge (see Claim 6). This is described on pages 27 and 28 of the specification.

Turning to independent Claim 6, this claim also recites the ring-shaped fitting protrusion at the inner periphery, and is patentable for the same reasons as Claim 1. In addition, to further distinguish over the applied references, Applicants have amended independent Claim 6 to additionally recite that the annular loading support part has, at the outer periphery, a tapered surface carrying the peripheral edge of said opening of said disc cartridge. This additional limitation is also not found in either of the references relied upon in the rejection.

From all of the above, Applicants believe that the rejection of Claims 1-7 under 35 U.S.C. § 103 as being unpatentable over Kasuga in view of Takemasa has been overcome. Accordingly, the application should now in condition for allowance. An early indication to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Registration No. 40,073
Attorney of Record

Stuart S. Levy
Registration No. 61,474

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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Edward W. Tracy
Registration No. 47,998